

**REMARKS**

***Summary of the Amendment***

The specification of the application was replaced by the specification attached herewith to include sequence identifiers where necessary in accordance with 37 CFR Section 1.821.

No new matter has been added to the specification.

***Communication***

The Office has issued a Notification of Defective Response that (i) rejects the computer readable form of the sequence listing submitted by Applicants on December 3, 2004; and (ii) draws attention to informalities with the specification related to the absence of sequence identifiers in portions of the specification and drawings. Applicant respectfully asserts that the Notification of Defective response was issued in error and requests that the Notice be withdrawn and the application be examined in due course.

As to (i) above, the Office asserts in the Notification of Defective Response that the Sequence Listing in paper or computer readable form does not exist and that the requests in the Notice of Missing Parts issued by the Office on May 11, 2005, has not been completed. Both of these statements are flatly incorrect. Applicants draw the Office's attention to the Reply to the Notice of Missing Parts filed on August 9, 2005, which included the submission of a new computer readable form in compliance with 37 CFR §§ 1.821-1.825. This computer readable form of the sequence listing was submitted in response to the Notice that stated the original disk submitted with the application was corrupted or otherwise not readable. Not only were the requirements of the Notice of Missing Parts completed, but the Office failed to notify the Applicant of any informalities associated with the specification that would delay examination. In fact, contrary to the Office assertions, the Office actually issued a Notice of Acceptance of Application under 35 U.S.. 371 and 37 CFR § 1.495 on March 21, 2006, which is attached

herewith as Exhibit A. This Notice of Acceptance was not referenced once in the Notification of Defective Response and is plainly contrary to the Office assertions. The Applicants therefore respectfully assert that the Notification of Defective Response was sent in error, inaccurately describes the facts, provides the Applicant with an insufficient timeframe within which to respond, and improperly delayed examination of the application, which otherwise is in compliance with 37 CFR §1.495. Applicants respectfully request that the Notice of defective Response be withdrawn.

Notwithstanding the errors of the Notice of Defective Response and the Notice of Acceptance currently on file, Applicants have in good faith attempted to amend the specification to include sequence identifiers that were absent in the originally filed specification. A replacement specification has been submitted and attached herewith. A section clearly disclosing the sequence identifiers has been added to the Brief Description of Drawings in order for compliance with 37 CFR §1.821(d). A section clearly disclosing the sequence identifiers has been added to the sections highlighted by the Office. Applicants request that the objection to the specification be withdrawn.

***Conclusion***

Claims 1-84 are in condition for examination. A notice of allowance is earnestly solicited. Applicants invite the Examiner to contact the undersigned at 610.640.7852 to clarify any unresolved issues raised by this response.

The Commissioner is hereby authorized to charge any debit or credit any overpayment to Deposit Account 50-0436.

Respectfully submitted,

/John A. Zurawski, Reg. #61524/

John A. Zurawski

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Date: **May 21, 2010**

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Enclosures:

Notice of Acceptance of Application Under 35 U.S.C. § 371 and 37 CFR § 1.495 (Exhibit A)

Replacement Specification with (marked/amended copy)

Replacement Specification (clean copy)

**DOCKET NO.: 133089.01501 (144404US01)**

**PATENT**

## **EXHIBIT A**



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,837	Robert Paul Anderson	BTG0008-101

34141  
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INTERNATIONAL APPLICATION NO.	
PCT/GB03/02450	
LA. FILING DATE	PRIORITY DATE
06/05/2003	06/05/2002

CONFIRMATION NO. 5528  
371 ACCEPTANCE LETTER



Date Mailed: 03/21/2006

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>08/09/2005</u>	<u>08/09/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 12/03/2004
- Copy of the International Search Report filed on 12/03/2004
- Preliminary Amendments filed on 12/03/2004
- Biochemical Sequence Diskette filed on 08/09/2005
- Oath or Declaration filed on 08/09/2005
- Biochemical Sequence Listing filed on 12/03/2004
- Request for Immediate Examination filed on 12/03/2004
- U.S. Basic National Fees filed on 12/03/2004
- Assignment filed on 08/09/2005
- Priority Documents filed on 12/03/2004

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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**PART 3 - OFFICE COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)